Headquarters U.S. Air Force

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Law Enforcement Officer Safety Act Credentialing Program

U.S. AIR FORCE

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Law Enforcement Officer Safety Act Credentialing Program

U.S. AIR FORCE

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What Is LEOSA

…in its simplest terms, “LEOSA” is a Federal law that allows individuals who have been identified as having apprehension authority and are identified as qualified law enforcement officers (QLEO), active, retired or separated with 10 or more years of aggregate service in a position as a QLEO to carry a concealed privately owned weapons (POW) for protection while off duty and outside the boundary of the installation.

LEOSA Facts

- The Law Enforcement Officers Safety Act (LEOSA) is a United States federal law, enacted in 2004, that allows two classes of persons—the "qualified law enforcement officer" and the "qualified retired or separated law enforcement officer"—to carry a concealed firearm in any jurisdiction in the United States or United States Territories, regardless of state or local laws, with certain exceptions.

- If a person meets the criteria, “not withstanding (not barring any other exceptions) any provisions of the law of any state or any political subdivision thereof" he or she may carry a concealed firearm in that state or political subdivision. An individual who qualifies under LEOSA does not require a state-issued permit to carry a concealed firearm.
  - **The privilege specifically does not extend to machine**

LEOSA Facts Con't

- Although LEOSA preempts state and local laws, there are two exceptions: The laws of that state which
  - Permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property (such as bars, private clubs, amusement parks, etc.)
  - Prohibit or restrict the possession of firearms on any state or local government property, installation, building, base, or park.

- **This credential does not grant the bearer any authority to act on the agency's (USAF) behalf or to exercise any law enforcement authority, when off duty.**

LEOSA Facts Con't

- Individuals must also obey any federal laws and agency policies that restrict the carrying of concealed firearms in certain federal buildings and lands, as well as federal regulations prohibiting the carriage of firearms on airplanes.

- In 2013, LEOSA was again amended by the National Defense Authorization Act (NDAA) for Fiscal Year 2013, which clarified that military police officers and civilian police officers employed by the U.S. Government met the definitions in the original Act.
  - The definitions of "qualified active" and "qualified retired or separated" law enforcement officer include the term "police officers" and expanded the powers of arrest requirement definition to include those who have or had the authority to "apprehend" suspects under the Uniform Code of Military Justice.

Monitoring/Controlling

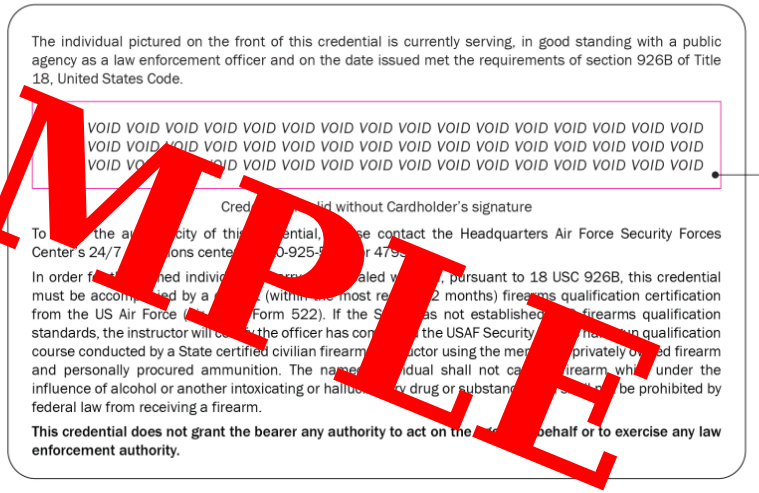
926B Credentials

- Air Force Security Forces Center (AFSFC) is the issuing authority for USAF LEOSA Credentials
- Actively serving personnel issued a credential will be monitored at the unit level for suitability to arm
- If placed on a “Do Not Arm” roster, regardless of current qualification, the credential will be suspended until authorization to bear a firearm for duty is returned

926C Credentials

- Individuals found to be prohibited by Federal Law or IAW DoDI 5525.12 from receiving a firearm will have their credential revoked. The AFSFC will request the individual surrender the credential.

Credential Example


The individual pictured on the front of this credential is currently serving, in good standing with a public agency as a law enforcement officer and on the date issued met the requirements of section 926B of Title 18, United States Code.
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In order f ed indivi aled w , pursuant to 18 USC 926B, this credential must be accom ied by a (withi most re 2 months) firearms qualification certification from the US Air Force Form 522). If the S as not established firearms qualification standards, the instructor will c the officer has con the USAF Security ha n qualification course conducted by a State certified civilian firearm uctor using the me privately o ed firearm and personally procured ammunition. The na idual shall not ca irearm wh under the influence of alcohol or another intoxicating or hallu y drug or substan be prohibited by federal law from receiving a firearm.
This credential does not grant the bearer any authority to act on the behalf or to exercise any law enforcement authority.

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LEOSA Application Website Demonstration

http://www.leosaonline.com/leosa

926B Officer Qualifications

DoDI 5525.12, Implementation of the Amended Law Enforcement Officers Safety Act of 2004

- Is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law.
- Has statutory powers of arrest or authority to apprehend pursuant to section 807(b) of Title 10, United States Code (also known as Article 7(b) of the UCMJ).
- Is authorized by the organization to carry a firearm.
- Is not the subject of any disciplinary action by the organization that could result in suspension or loss of police powers.
- Meets the organization's standards, if any, which require the employee to regularly qualify in the use of a firearm of the same type (e.g., revolver or semiautomatic pistol) as the concealed firearm.
- Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- Is not prohibited by federal law from receiving a firearm.

926B Officer Qualifications

Peace Officer Standards and Training (POST) Requirements
http://www.afsf.lackland.af.mil/

- Meet all DoD Peace Officers Training Program Compliance Standards (POST) in DoDI 5525.15 (Enclosure 4/Table 2)
- 3P's: Must have a 5-skill level, completed applicable CFETP tasks, ADLS Courses, and Family Advocacy and Active Shooter Training
- 31P's: Must obtain the rank of First Lieutenant and complete Development Level 1 Tasks and/or grandfathered with a 623A entry
- GS-0083's: DAF Police Officers must have completed qualification training (VALETC) or have met the prior service commitment, applicable CFETP tasks, ADLS Courses, and Family Advocacy and Active Shooter Training
- **NOTE**: OPM identified GS-0085 SCPD's do not meet the intent under 926B, however individuals may qualify under 926C requirements
- Completed a probationary period of one year after achieving all POST requirements
- **NOTE**: This period may be extended by the credential issuing authority on a case-by-case basis

926B Application Requirements

Actively Serving Qualified Law Enforcement Officer (QLEO)

- Copy of drivers license or government issued identification with photograph
- Electronic passport photograph (color)
- LEOSA Commanders Endorsement Memorandum
- Pay Defense Consulting Services processing fee of $140.00 (plus a $5.00 PayPal processing fee) or send a cashiers check or money order in the amount of 140.00
- **NOTE**: Application processing fees are **non-refundable**; applicants have 60 days from the date of notification to correct application discrepancies
- Notarized completed LEOSA Credential application

926C Officer Qualifications

DoDI 5525.12, Implementation of the Amended Law Enforcement Officers Safety Act of 2004

- Be retired/separated in good standing from service with the DoD Component (USAF) as a law enforcement officer.
- Before separation, have been authorized to engage in or supervise the prevention, detection, investigation, or prosecution, or the incarceration of any person for any violation of law.
- Before separation had statutory powers of arrest or authority to apprehend pursuant to section 807(b) of Title 10, United States Code (also known as article 7(b) of the UCMJ).
- Before separation, have served as a law enforcement officer for an aggregate of 10 years or more, or separated from service with the DoD Component (USAF), after completing any applicable probationary period of service, due to a service-connected disability, as determined by that Component (USAF).

926C Officer Qualifications Con't

DoDI 5525.12, Implementation of the Amended Law Enforcement Officers Safety Act of 2004 & AFMAN 31-125, Security Forces Implementation of the Law enforcement Officers Safety Act (LEOSA)

- During the most recent 12-months (1) at the expense of the individual, met the standards for qualification in firearms training for active law enforcement officers, as determined by the State in which the individual resides, or if the state has not established such standards, (2) complete the State in which the individual resides LEOSA Qualification Course (if available), or (3) qualify as determined by the individual's former DoD Component (USAF)
- **NOTE 1**: Individuals applying for a LEOSA Credential are not required to show proof or complete firearms qualification. However, current firearms qualification is required if carrying concealed
- **NOTE 2**: Proof of firearms certification cannot be older than 12 months at all times. Additionally, the States law enforcement courses of fire are primary; Air Force Qualification Course will be used only when no other options are available.
- **NOTE 3 (AFMAN)**: With the exception of active USAF firearms training, all firearms qualification courses must be taught by firearms instructor certified through the National Riffle Association, American Association of

926C Officer Qualifications Con't

DoDI 5525.12, Implementation of the Amended Law Enforcement Officers Safety Act of 2004 & AFMAN 31-125, Security Forces Implementation of the Law enforcement Officers Safety Act (LEOSA)

- Have not entered into an agreement with the DoD Component (USAF) from which the individual is separated from service acknowledges he or she is not qualified under section 926C for reasons relating to mental health.
- **NOTE**: Mental health examinations are not required to apply for LEOSA credential
- Have not been officially found by a qualified medical professional employed by the DoD Component (USAF) to be unqualified for reasons of mental health.
- Not be prohibited by federal law from receiving a firearm.
- Agree while armed, will not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- **NOTE 1 (AFMAN)**: Former Security Forces (SF) members not actively serving in a SF duty position (e.g. special duty or retrained) are eligible to apply for a 926C/Separated if they meet all POST requirements, 1 year probation, and 10 years of aggregate service. In lieu of an Identity History Summary, the member may submit a Commanders Endorsement

926C Application Requirements

Retired or Separated Qualified Law Enforcement Officer (QLEO)

- FBI Identity History Summary (IHS)
- **NOTE**: (1) By law "Channelers" will only mail/email IHS's to the "requester" (2) Upon receipt of summary send to the DCS address on the application or email to HQAFSFC.SFOP.LEOSA@us.af.mil, (3) hard-copy IHS's must have an FBI seal, be signed by FBI Section Chief, and printed on "tamper" proof paper, and (4) electronic IHS's must be sent as a PDF, must have an FBI seal, and be signed by FBI Section Chief
- Copy of drivers license or government issued identification with photograph
- Electronic passport photograph (color)
- Medical Declaration Letter of physical competency signed by a DoD-associated physician
- **NOTE**: AFSFC is working through matters concerning the SG community endorsing the medical declaration for LEOSA credentials
- **NOTE**: Medical Declaration Letters are only required for individuals who were medically retired/separated
- DD Form 214 (member 4 copy), NGB 22, or other service documentation showing performance as a SF member (i.e. official orders, performance reports, military awards, or decorations etc.)
- Pay Defense Consulting Services processing fee of $160.00 (plus a $5.00 PayPal processing fee) or send a cashiers check or money order in the amount of 160.00
- **NOTE**: Application processing fees are non refundable; applicants have 60 days from

DCS Processing

Note 1: Ideally credentials will be produced within 45 business days, but this timeline does not take into consideration corrections to applications

Note 2: FBI processed IHS request average a 12 week return which will extend credential production timeline

Note 3: LEOSA credentials are be produced by DCS

Recommended Reading

- **DoDI 5525.12, *Implementation of the Amended Law Enforcement Officers Safety Act of 2004***
  - Implements sections 926B and 926C of Title 18, United States Code and incorporates and implements section 1089 of Public Law 112-239 for military and civilian law enforcement personnel within the DoD

Recommended Reading

- **DoDI 5525.15, *Law Enforcement (LE) Standards and Training in the DoD***
  - Establishes policy and assigns responsibilities for DoD military and civilian LE standards and training in accordance with the authority in the Secretary of Defense Memorandum and DoDD 5124.02/*Under Secretary of Defense for Personnel Readiness*, and DoDI 5105.18/*DoD Intergovernmental and Intragovernmental Committee Management Program*
  - Establishes a DoD Peace Officer Standards and Training (POST) Commission in accordance with the authority
  - Establishes policy and assigns responsibilities for certification and physical fitness standards for DoD civilian police (CP) and security guards (SG), incorporating and cancelling DoD Instruction 5210.90/ *Minimum Training, Certification, and Physical Fitness Standards for Civilian Police and Security Guards (CP/SGs) in the Department of Defense*

Recommended Reading

- **H.R.3752 - *Law Enforcement Officers Safety Act Improvements Act of 2009* - amend Title 18, United States Code**

  - Official Summary - Law Enforcement Officers Safety Act Improvements Act of 2009 - Amends the federal criminal code to:
    - Expand the definition of \"law enforcement officers,\" for purposes of provisions authorizing such officers to carry concealed weapons, to include current and retired law enforcement officers of the Amtrak Police Department, the Federal Reserve System, the executive branch, and the Armed Forces;
    - Allow law enforcement officers who are retired or who separated in good standing after at least ten years of service to carry a concealed weapon; and
    - Expand the categories of law enforcement officers

Recommended Reading

- **H.R.218 - Law Enforcement Officers Safety Act of 2004**
  - Law Enforcement Officers Safety Act of 2004 - Amends the Federal criminal code to authorize a qualified law enforcement officer carrying photographic governmental agency identification to carry a concealed firearm, notwithstanding any State or local law. Declares that this provision shall not be construed to supersede or limit the laws of any State that: (1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or (2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

Recommended Reading

- **H.R.218 - Law Enforcement Officers Safety Act of 2004 (Con't)**
  - Defines "qualified law enforcement officer" as: (1) a current governmental agency law enforcement officer who is authorized to carry a firearm, who is not the subject of disciplinary action, who meets agency standards which require the employee to regularly qualify in the use of a firearm, and who is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and (2) a retired law enforcement officer who retired in good standing from public agency service, who was regularly employed as a law enforcement officer for at least 15 years, who has a non-forfeitable right to agency retirement benefits, who has met the State's standards for training and qualification for active law enforcement officers to carry firearms during the most recent 12-month period, and who is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

Recommended Reading

- **AFMAN 31-125, *Security Forces Implementation of the Law enforcement Officers Safety Act (LEOSA)***
  - Published 22 April 14, based upon H.R. 218, S.B. 1132, H.R. 4310 and DoDI 5525.12
  - Addresses USAF LEOSA implementation for all individuals granted apprehension authority under the UCMJ that are identified as active, retired or separated members

- Your State in which you reside ***exceptions*** to concealed carry laws

Recommended Actions

- **CONSIDER CARRYING IMPORTANT DOCUMENTATION**
  - LEOSA Credential
  - Weapons qualification documentation
  - Driver's license or government issued identification card with photograph
  - Proof of ownership for the weapon carried
  - Copy of DoDI 5525.15, AFMAN 21-125, and LEOSA legislation
  - Obtain concealed carry or self-defense insurance with civil and criminal defense coverage

- **NOTE: The USAF's role solely is to determine all requirements to carry under LEOSA are met; any action taken by the individual is their personal responsibility.**

Contact Information

Air Force Security Forces LEOSA Contracting Officer Representatives

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USAF Security Forces SMARTNet
https://afsfmil.lackland.af.mil/LEOSA.html

LEOSA Website
http://www.leosaonline.com/

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Questions/Comments

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